

1 Darrell Olson (State Bar No. 77633)
2 KNOBBE, MARTENS, OLSON & BEAR, LLP
3 2040 Main Street
4 Fourteenth Floor
5 Irvine, CA 92614
6 Phone: (949) 760-0404
7 Facsimile: (949) 760-9502

8 Joseph M. Reisman (State Bar No. 246922)
9 Ali S. Razai (State Bar No. 196122)
10 KNOBBE, MARTENS, OLSON & BEAR, LLP
11 550 West C Street
12 Suite 1200
13 San Diego, CA 92101
14 Phone: (619) 235-8550
15 Facsimile: (619) 235-0176

16 Attorneys for Defendant
17 LIGAND PHARMACEUTICALS INCORPORATED

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

LIGAND PHARMACEUTICALS
INCORPORATED, a Delaware corporation,

Plaintiff,

v.

THE ROCKEFELLER UNIVERSITY, a
New York not-for-profit corporation,

Defendant.

) Civil Action No. 08-CV-401 BEN (WMc)

) **PLAINTIFF'S MOTION TO DISMISS**
) **WITHOUT PREJUDICE UNDER RULE**
) **41(a)(1)(A)(i)**

) Honorable Roger T. Benitez
)

1 Plaintiff, LIGAND PHARMACEUTICALS INCORPORATED, hereby moves to
2 voluntarily dismiss the present action without prejudice under Rule 41(a)(1)(A)(i) of the Federal
3 Rules of Civil Procedure.

4
5 Respectfully submitted,

6 KNOBBE, MARTENS, OLSON & BEAR, LLP

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8 Dated: May 14, 2008

By: s/ Joseph M. Reisman

9 Darrell Olson

10 Joseph M. Reisman

11 Ali S. Razai

12 Attorneys for Defendant

13 LIGAND PHARMACEUTICALS INCORPORATED
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PROOF OF SERVICE

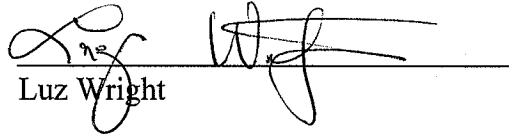
I hereby certify that on May 14, 2008, I caused the foregoing **PLAINTIFF'S**
MOTION TO DISMISS WITHOUT PREJUDICE UNDER RULE 41(a)(1)(A)(i) to be
electronically filed with the Clerk of the Court using the CM/ECF system which will send
electronic notification of such filing to the following:

FOLEY & LARDNER
Kenneth S. Klein
402 West Broadway, Suite 2100
San Diego, CA 92101-3542
Telephone: (619) 234-6655
Facsimile: (619) 234-3510

FOLEY & LARDNER
Anat Hakim
3000 K Street, NW, Suite 500
Washington D.C. 20007-5101
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

I declare that I am employed in the office of a member of the bar of this Court at whose
direction the service was made.

Executed on May 14, 2008, at San Diego, California.


Luz Wright

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